

DISPOSITION: August 23, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable organization after the destruction of the labels.

9950. Adulteration of canned mustard greens. U. S. v. 116 Cases of Canned Mustard Greens. Default decree of condemnation and destruction. (F. D. C. No. 19866. Sample No. 47836-H.)

LIBEL FILED: May 14, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about March 13, 1946, by the Alma Canning Co., Alma, Ark.

PRODUCT: 116 cases, each containing 24 1-pound, 2-ounce cans, of mustard greens at Denver, Colo.

LABEL, IN PART: "Clear Sailing Mustard Greens."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of aphids.

DISPOSITION: July 12, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9951. Adulteration of canned mustard greens. U. S. v. 60 Cases and 34 Cases of Canned Mustard Greens. Decrees of condemnation. Product ordered destroyed. (F. D. C. Nos. 19793, 19872. Sample Nos. 47839-H, 47921-H.)

LIBELS FILED: May 2 and 14, 1946, District of Colorado.

ALLEGED SHIPMENT: On or about March 4, 1946, by the Sallisaw Canning Co., from Sallisaw, Okla.

PRODUCT: 94 cases, each containing 24 1-pound, 2-ounce cans, of mustard greens at Denver, Colo.

LABEL, IN PART: "Sallisaw Brand Mustard Greens"; [some cans incorrectly labeled] "Sallisaw Brand Spinach."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of aphids and larvae.

DISPOSITION: June 18 and July 12, 1946. No appearance or claim having been entered for either lot, judgments of condemnation were entered and the product was ordered destroyed.

Nos. 9952 to 9959 report actions involving canned peas that purported to be a food for which a standard of quality has been prescribed by law, but the quality fell below the standard because of higher alcohol-insoluble solids than the maximum permitted by the standard, and the labels failed to bear, in the manner and form that the regulations specify, a statement that the product was below the standard.

9952. Misbranding of canned peas. U. S. v. John S. Mitchell, Inc. Plea of guilty. Fine, \$200. (F. D. C. No. 20140. Sample Nos. 35030-H, 35039-H, 35040-H.)

INFORMATION FILED: July 10, 1946, Southern District of Indiana, against John S. Mitchell, Inc., a corporation, Windfall, Ind.

ALLEGED SHIPMENT: On or about November 16, 1945, from the State of Indiana into the State of Arkansas.

LABEL, IN PART: "Sales Brand Early June Peas Packed for Empire Distributing Company St. Louis, Mo."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: August 9, 1946. A plea of guilty having been entered, the court imposed a fine of \$200.

9953. Misbranding of canned peas. U. S. v. Woods Cross Canning Co. Plea of guilty. Fine, \$100. (F. D. C. No. 17792. Sample Nos. 26604-H, 32485-H, 32943-H.)

INFORMATION FILED: March 15, 1946, District of Utah, against the Woods Cross Canning Co., a corporation, Clearfield, Utah.

ALLEGED SHIPMENT: Between the approximate dates of December 19, 1944, and August 24, 1945, from the State of Utah into the States of Colorado, California, and Montana.

LABEL, IN PART: "Clearfield Brand Sweet Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h), the product in all of the shipments was substandard in quality because of failure to meet the require-

ments of the standard with respect to freedom from tough peas; 2 of the 3 lots were further substandard in quality because they contained in excess of 21 percent of alcohol-insoluble solids, the maximum permitted by the standard for canned sweet peas.

DISPOSITION: May 14, 1946. A plea of guilty having been entered, a fine of \$100 was imposed.

9954. Misbranding of canned peas. U. S. v. 574 Cases of Canned Peas. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 20027. Sample No. 59650-H.)

LIBEL FILED: May 22, 1946, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 2, 1945, by the Stokely Canning Co., Inc., from Norwalk, Ohio.

PRODUCT: 574 cases, each containing 24 1-pound, 4-ounce cans, of peas, at Greensburg, Pa.

LABEL, IN PART: "Our Favorite Brand Sifted Early Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: June 19, 1946. Stokely-Van Camp, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9955. Misbranding of canned peas. U. S. v. 418 Cases of Canned Peas. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 19798. Sample No. 14362-H.)

LIBEL FILED: April 30, 1946, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 1, 1945, by Campbell Holton and Co., Bloomington, Ill.

PRODUCT: 418 cases, each containing 24 1-pound, 4-ounce cans, of peas at Cambridge, Ohio.

LABEL, IN PART: "Camel Brand Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: June 11, 1946. The Walter English Co., Columbus, Ohio, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9956. Misbranding of canned peas. U. S. v. 276 Cases of Canned Peas. Consent decree of forfeiture. Product ordered released under bond. (F. D. C. No. 20600. Sample No. 53033-H.)

LIBEL FILED: July 31, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about October 12, 1944, by the Elkhart Lake Canning Co., from Elkhart Lake, Wis.

PRODUCT: 276 cases, each containing 24 1-pound, 4-ounce cans, of peas at Cleveland, Ohio.

LABEL, IN PART: "Myrna Brand Extra Sifted Early June Peas."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product was below standard.

DISPOSITION: August 27, 1946. The Elkhart Lake Canning Company, claimant, having admitted the allegations of the libel, judgment of forfeiture was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

9957. Misbranding of canned peas. U. S. v. 93 Cases and 129 Cases of Canned Peas. Default decree of condemnation. Product ordered sold. (F. D. C. No. 19862. Sample Nos. 51150-H, 51151-H.)

LIBEL FILED: May 10, 1946, District of North Dakota.

ALLEGED SHIPMENT: On or about November 9, 1945, by the St. Cloud Products Association, St. Cloud, Minn.

PRODUCT: 222 cases, each containing 24 1-pound, 4-ounce cans, of peas at Grand Forks, N. Dak.

LABEL, IN PART: "Granite City Brand * * * Minnesota Early June Peas," or "Golden Valley Early June Peas."